

**UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT****DOCKETING STATEMENT****Case Number:** 25-1072**Short Case Caption:** DS Advanced Enterprises, Ltd. v. Lowe's Home Centers, LLC**Filing Party/Entity:** Lowe's Home Centers, LLC

Instructions: Complete each section or check the box if a section is intentionally blank or not applicable. Attach additional pages as needed. Refer to the court's Mediation Guidelines for filing requirements. An amended docketing statement is required for each new appeal or cross-appeal consolidated after first filing.

Case Origin	Originating Number	Type of Case
U.S. Dist. Ct., S.D. Cal.	3:23-cv-01335-CAB-JLB	Patent Litigation

Relief sought on appeal: ☐ None/Not Applicable

Lowe's Home Centers, LLC ("LHC") will seek to affirm the trial court's order granting summary judgment. As there remain outstanding issues in the case (as detailed in LHC's pending motion to dismiss for lack of jurisdiction), LHC reserves the right to seek further relief in connection with its fees and sanctions applications pending before the district court.

Relief awarded below (if damages, specify): ☐ None/Not Applicable

The District Court granted summary judgment of non-infringement in favor of LHC.

Briefly describe the judgment/order appealed from:

The District Court correctly held that the accused lighting products sold by LHC did not infringe DS Advanced Enterprises Ltd's U.S. Patent No. 11,054,118.

Nature of judgment (select one):**Date of judgment:** _____☐ Final Judgment, 28 USC § 1295☐ Rule 54(b)☒ Interlocutory Order (specify type) Non-final order on summary judgment☐ Other (explain) _____

Name and docket number of any related cases pending before this court, and the name of the writing judge if an opinion was issued. ☒ None/Not Applicable

Issues to be raised on appeal: ☐ None/Not Applicable

At this time, LHC does not intend to raise any affirmative issues on appeal but will request affirmance of the district court's summary judgment order after the district court enters final judgment. As noted above, LHC reserves the right to seek further relief in connection with its fees and sanctions applications pending before the district court.

Have there been discussions with other parties relating to settlement of this case?

☒ Yes ☐ No

If "yes," when were the last such discussions?

- ☐ Before the case was filed below
- ☒ During the pendency of the case below
- ☐ Following the judgment/order appealed from

If "yes," were the settlement discussions mediated? ☒ Yes ☐ No

If they were mediated, by whom?

The Honorable Jill L. Burkhardt, United States Magistrate Judge

Do you believe that this case may be amenable to mediation? ☐ Yes ☒ No

Explain.

LHC would be willing to proceed with mediation if ordered by the Court but doubts that mediation will resolve the appeal.

Provide any other information relevant to the inclusion of this case in the court's mediation program.

None.

Date: 10/30/24 Signature: s/ Scott D. Stimpson
Name: Scott D. Stimpson